

**REMARKS**

Claims 1 and 4-7 are all the claims pending in the present application, claims 2 and 3 having been canceled as indicated herein. The Examiner maintains the same arguments as set forth in the previous Office Action, and adds supplemental arguments in the *Response to Arguments* section of the present Office Action.

Claims 1 and 3-7 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Young et al. (U.S. Patent No. 6,990,116) in view of Benveniste (U.S. Patent Appln. Pub. No. 2004/0002357). Claim 2 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Young et al in view of Benveniste, and further in view of Ekl et al. (U.S. Patent No. 6,898,414).

**§103(a) Rejections (Young / Benveniste) - Claims 1 and 3-7**

Claims 1 and 3-7 are rejected substantially based on the same reasons set forth in the previous Office Action.

With respect to independent claim 1, which now incorporates the features of previously pending claims 2 and 3<sup>1</sup>, Applicants maintain the previously submitted assertion that the applied references do not disclose or suggest at least, “if a result of the verification indicates that data remains in the queue, transmitting the data remaining in the queue of the PC before entering a contention mode,” as recited in claim 1. That is, Applicants maintain that even if, *arguendo*, Benveniste discusses transmitting data that is left in a queue, nowhere does Benveniste transmitting data that is left in a queue before entering a contention mode, as described in claim

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<sup>1</sup> Applicants submit that the amendment to claim 1 should be entered as the amendment should not require further search and/or consideration.

1. Further, Applicants maintain that combining the technologies of the two references would not produce an invention that satisfies the present invention. *See pages 2-3 of Response dated April 22, 2008.*

Yet further, Applicants submit that the applied references (including Ekl), either alone or in combination, do not disclose or suggest the above-quoted feature of claim 1 in addition to the newly added features of claims 2 and 3. Further, Applicants submit that an exemplary result of claim 1 is that a point coordinator (PC) can enter the contention mode if no data remain in the queue, and the data transmission operation can obtain a preferential access to a medium and transmit data while one or more stations wait for use of the medium. The applied references (including Ekl), either alone or in combination, do not disclose or suggest each and every limitation of claim 1.

Further, Applicants submit that in the IEEE 802.11 communication standard, if a contention free period (CFP) is completed, the PC converts the mode into a distributed coordination function (DCF) mode irrespective of whether data remain in the queue, and each station contends with the PC in order to obtain a channel. However, an exemplary result of amended claim 1 can be that the PC can enter a contention mode if no data remain in the queue, and the PC does not enter the contention mode if data remain in the queue. At least based on the foregoing, Applicants submit that the applied references, either alone or in combination, do not disclose or suggest each and every feature of claim 1, and Applicants submit that the claimed invention is distinct from the IEEE 802.11 communication standard.

Applicants submit that claims 4-7 are patentable at least by virtue of their indirect or direct dependencies from claim 1.

§103(a) Rejections (Young/Benveniste/Ekl) - Claim 2

The features of claim 2 have been incorporated into claim 1, as discussed above.

Applicants submit that none of the applied references (including Ekl) teaches or suggests each and every feature of amended claim 1, which now incorporates the features of claim 2.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

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